Application Serial No.: 10/584,869 Applicants: Thomas KOTHE, et al.

Office Action Mailing Date: May 14, 2008

Response to Office Action Filed: August 14, 2008

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

- 1. (Previously Presented) A settable mixture comprising
 - (i) a water absorbing composition and
 - (ii) an aqueous emulsion of organic polymer or
 - (iii) dispersible organic polymer,

wherein the water absorbing composition (i) contains inorganic ingredients which are capable to react with water and the water absorbing composition (i) contains at least 13 weight % lime and at least 5 weight % of a cementitious composition of which components form ettringite during the absorption of water and

wherein the amount of the aqueous emulsion of organic polymer (ii) in relation to (i) is such as to provide a ratio of combined weight of polymer solids to combined weight of ingredients which are capable to react with water of from 0.5: I to 10: I, and

wherein the amount of dispersible organic polymer (iii) in relation to (i) is such as to give a ratio of combined weight of polymers to combined weight of ingredients which are capable to react with water of from 0.5: 1 to 10: 1.

- 2. (Previously Presented) A settable mixture according to claim 1, wherein the sum of the weight of the lime and the weight of the cementitious composition is 67 to 100 of the total weight of the water absorbing composition (i).
- 3. (Previously Presented) A settable mixture according to claim 1, wherein the water absorbing composition (i) contains at least 25 weight % lime.
- 4. (Previously Presented) A settable mixture according to claim 1, wherein the cementitious composition contains calcium aluminate and calcium sulfate.
- 5. (Previously Presented) A settable mixture according to claim 1, wherein in respect to the formation of ettringite the water absorbing composition (i) contains a stoichiometric surplus of lime.

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6. (Previously Presented) A method of applying a coating to a surface which method comprises forming a settable mixture according to claim 1, containing a water absorbing composition (i) and an aqueous emulsion of organic polymer (ii) and putting the settable mixture on the surface to form a coating.

- 7. (Previously Presented) A method of applying a coating to a surface which method comprises forming a settable mixture according to claim 1, containing water absorbing composition (i) and dispersible organic polymer (iii), combining the settable mixture with water and putting the mixture on the surface to form a coating.
- 8. (Previously Presented) The coating made according to the method which is defined in claim 6.
- 9. (Currently Amended) A method of using the coating as defined in claim 8-applying a coating to a surface which method comprises forming a settable mixture according to claim 1, containing a water absorbing composition (i) and an aqueous emulsion of organic polymer (ii) and putting the settable mixture on the surface to form a coating, wherein the coating comprises [[as]] a rock support means.
- 10. (Currently Amended) A method of using the coating as defined in claim 8-applying a coating to a surface which method comprises forming a settable mixture according to claim 1, containing a water absorbing composition (i) and an aqueous emulsion of organic polymer (ii) and putting the settable mixture on the surface to form a coating, wherein the coating comprises [[as]] a waterproofing means.
- 11. (Previously Presented) The settable mixture according to claim 1 wherein the amount of the aqueous emulsion of organic polymer (ii) in relation to (i) is such as to provide a ratio of combined weight of polymer solids to combined weight of ingredients which are capable to react with water of from 1: 1 to 4: 1.

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12. (Previously Presented) The settable mixture according to claim 1 wherein the amount of dispersible organic polymer (iii) in relation to (i) is such as to give a ratio of combined weight of polymers to combined weight of ingredients which are capable to react with water of from 1: 1 to 4: 1.

- 13. (Previously Presented) The settable mixfure according to claim 1 wherein the water absorbing composition (i) contains at least 62 weight % lime.
- 14. (Previously Presented) The settable mixture according to claim 2 wherein the water absorbing composition (i) contains at least 62 weight % lime.
- 15. (Previously Presented) The settable mixture according to claim 2 wherein the cementitious composition contains calcium aluminate and calcium sulfate.
- 16. (Previously Presented) The settable mixture according to claim 2 wherein in respect to the formation of ettringite the water absorbing composition (i) contains a stoichiometric surplus of lime.
- 17. (Previously Presented) The method of applying a coating to a surface according to claim 6 wherein the coating is at least 2 mm in thickness.
- 18. (Previously Presented) The method of applying a coating to a surface according to claim 7 wherein the coating is at least 2 mm in thickness.
- 19. (Previously Presented) The coating made according to the method which is defined in claim 7.
- 20. (Currently Amended) The Amethod of using the coating as defined in claim 19 applying a coating to a surface which method comprises forming a settable mixture according to claim 1, containing water absorbing composition (i) and dispersible organic polymer (iii), combining the settable mixture with water and putting the mixture on the surface to form a coating, wherein the coating comprises [[as]] a rock support means or [[as]] a waterproofing means.